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Response Under 37 CFR §1.116
Expedited Procedure
Examining Group 1615

CASE LA23b CIP-1

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

John M. Kilcoyne

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IN RE APPLICATION OF

Art Unit: 1615

TIMMINS ET AL.

Examiner: J. Spear

APPLICATION NO: 09/398,107

FILED: SEPTEMBER 16, 1999

FOR: BIPHASIC CONTROLLED RELEASE DELIVERY SYSTEM FOR
HIGH SOLUBILITY PHARMACEUTICALS AND METHOD

APPROVED
FOR ENTRY
3-13-02
J. Spear

Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT AFTER FINAL REJECTION

Sir:

In response to the Final Rejection mailed January 16, 2002, please amend this application as follows.

In the Claims:

Please cancel claims 34-41 and 65-70 without prejudice.